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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/767,051 | 01/29/2004 | Young-Chin Chen | U 015013-0 | 4814 |
| 140 | 7590 | 12/08/2008 | EXAMINER | |
| LADAS & PARRY LLP 26 WEST 61ST STREET NEW YORK, NY 10023 | | | KHAN, AMINA S | |
| | | ART UNIT | PAPER NUMBER | |
| | | 1796 | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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12/8/08

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In re Application of :
Young-Chin Chen :
Serial Number: 10/767,051 :
Filed: January 29, 2004 :
For: Process For Producing Synthetic Fiber Fabric :
Having Translucent Printing (Dyeing) Patterns :
And Fabric Thus Obtained : DECISION
ON
PETITION

This is in response to the petition filed October 22, 2008, under 37 C.F.R. 1.91(3) to Accept Specimen. 37 C.F.R. 1.91 refers to models or exhibits not generally admitted as part of the application or patent.

§ 1.91 Models or exhibits not generally admitted as part of application or patent.

(a) A model or exhibit will not be admitted as part of the record of an application unless it:

(1) Substantially conforms to the requirements of § 1.52 or § 1.84;

(2) Is specifically required by the Office; or

(3) Is filed with a petition under this section including:

(i) The fee set forth in § 1.17(h); and

(ii) An explanation of why entry of the model or exhibit in the file record is necessary to demonstrate patentability.

(b) Notwithstanding the provisions of paragraph (a) of this section, a model, working model or other physical exhibit may be required by the Office if deemed necessary for any purpose in examination of the application.

(c) Unless the model or exhibit substantially conforms to the requirements of § 1.52 or § 1.84 under paragraph (a)(1) of this section, it must be accompanied by photographs that show multiple views of the material features of the model or exhibit and that substantially conform to the requirements of § 1.84.

A review of the record does not indicate that the examiner requested a specimen. Applicant asserts that the specimen is a piece of fabric produced by the claimed process which demonstrates the features illustrated in Addendum (Fig. 1b) of the Amendment of September

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26, 2008 and is being submitted to assist the Examiner in understanding the claimed invention.

It is not clear why entry of the specimen is necessary to demonstrate patentability as required under 37 C.F.R. 1.91(3) (ii).

The Petition is Dismissed.



Jacqueline Stone, Director
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